

# California Department of Insurance

## Fraud Division

### April 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

**Note:** If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program  
9342 Tech Center Drive, Suite 100  
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

## **April 2011 Workers' Compensation Fraud Convictions**

**CDI Case Name:** Office Solutions Inc.

**CDI Case Number:** 08GW002400

**County:** Santa Clara

**Defendant:** Angelo Pete Athans

**City/County of Residence:** San Martin/Santa Clara

**Conviction Date:** 04/07/11

**Offense:** 1 Count of IC 11880(a) (Premium Fraud), 1 Count of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)

**Amount Allegedly Defrauded:** \$276,000

**Sentence:** 90 Days County Jail (To Be Served by Electronic Monitoring Program Through LCA Client Services), 3 Years Formal Probation, \$90,084.61 Restitution (Paid In Full), \$200 Civil Fine

**Case Number:** TCM251133

**County:** Tulare

**Defendant:** Mark Anthony Cabrera

**City/County of Residence:** Bismark/Burleigh (North Dakota)

**Conviction Date:** 04/18/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 36 Months Summary Probation, \$2,540 Civil Fine, \$10,000 Criminal Fine (\$8,500 Suspended)

**CDI Case Name:** Posh Bagel

**CDI Case Number:** 06GW021501

**County:** Santa Clara

**Defendant:** Bruce William Campbell

**City/County of Residence:** Palo Alto/Santa Clara

**Conviction Date:** 04/08/11

**Offense:** 1 Count of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)

**Amount Allegedly Defrauded:** \$698,582.50

**Sentence:** 180 Days County Jail, 3 Years Formal Probation, \$698,582.50 Restitution, \$220 Civil Fine

**CDI Case Name:** Red Rock Maintenance

**CDI Case Number:** 10BW004773

**County:** Marin

**Defendant:** Jack Joseph Damato

**City/County of Residence:** San Rafael/Marin

**Conviction Date:** 04/06/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 100 Hours Community Service by 10/27/2011, 3 Years Supervised Probation, TBD Restitution, \$250 Civil Fine, \$10,000 Criminal Fine (\$7,500 Stayed Pending Successful Completion of Probation, Pay Supervised Probation Cost of \$350

**Case Number:** TCM250760

**County:** Tulare

**Defendant:** Ramon Martinez Estrada

**City/County of Residence:** Tulare/Tulare

**Conviction Date:** 04/13/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 36 Months Summary Probation, \$10,000 Criminal Fine (\$8,500 Suspended)

**CDI Case Name:** El Dorado County Dry Cleaners

**CDI Case Number:** 10AW018802

**County:** El Dorado

**Defendant:** Eun Young Kim

**City/County of Residence:** El Dorado Hills/El Dorado

**Conviction Date:** 04/01/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 24 Months Summary Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,230 Stayed)

**Case Number:** 2011009281 MA

**County:** Ventura

**Defendant:** Tyrone Joseph Knox

**City/County of Residence:** Thousand Oaks/Ventura

**Conviction Date:** 04/18/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 24 Months Condition Probation, \$1,000 Restitution, \$10,000 Criminal Fine (\$9,000 Stayed)

**CDI Case Number:** 09JW018939

**County:** Los Angeles

**Defendant:** Lynnette Myers

**City/County of Residence:** Northridge/Los Angeles

**Conviction Date:** 04/22/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** \$80,000

**Sentence:** 100 Hours Community Service, 5 Formal Probation, \$80,000 Restitution (Paid \$6,200, remaining Restitution to be paid in a manner prescribed by Probation Officer), \$200 Civil Fine

**CDI Case Name:** Posh Bagel  
**CDI Case Number:** 06GW021501  
**County:** Santa Clara  
**Defendant:** Jeffrey Michael Ottovoggio  
**City/County of Residence:** Redwood City/San Mateo  
**Conviction Date:** 04/08/11  
**Offense:** 1 Count of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)  
**Amount Allegedly Defrauded:** \$698,582.50  
**Sentence:** 180 Days County Jail, 3 Years Formal Probation, \$698,582.50 Restitution, \$220 Civil Fine

**Case Number:** TCM251141  
**County:** Tulare  
**Defendant:** Anthony Paul Russo  
**City/County of Residence:** Exeter/Tulare  
**Conviction Date:** 04/18/11  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** N/A  
**Sentence:** 3 Days County Jail, 36 Months Summary Probation, \$110 Civil Fine, \$210 Criminal Fine

**Case Number:** BA369529  
**County:** Los Angeles  
**Defendant:** Virginia Valencia Salgad  
**City/County of Residence:** Not available at this time  
**Conviction Date:** 04/04/11  
**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
**Amount Allegedly Defrauded:** \$1,000  
**Sentence:** 3 Years Formal Probation, \$1,000 Restitution, \$200 Civil Fine (Stayed)

**CDI Case Number:** 09BW022997  
**County:** San Francisco  
**Defendant:** Hyung Goo Shim  
**City/County of Residence:** San Francisco/ San Francisco  
**Conviction Date:** 04/25/11  
**Offense:** 1 Count of IC 11880(a) (Premium Fraud)  
**Amount Allegedly Defrauded:** \$140,000  
**Sentence:** 1 Year County Jail, 5 Years Probation, \$111,357.95 Restitution, \$800 Civil Fine, Up to an amount of \$50 per month Probation Costs, Order Revoking Contractor's License Signed and Filed in Court

**CDI Case Name:** NBC General Contractor

**CDI Case Number:** 05BW017902

**County:** Alameda

**Defendant:** Monica M. Ung

**City/County of Residence:** Alamo/Contra Costa

**Conviction Date:** 04/18/11

**Offense:** 1 Count of IC 11880 (Premium Fraud)

**Amount Allegedly Defrauded:** \$1,200,000

**Sentence:** State Prison Sentence Suspended, 1 Day County Jail, 10 Years Formal Probation, \$350,000 Restitution to 43 Individual Employee Victims, \$850,000 Restitution to State Compensation Insurance Fund (SCIF), \$200 Civil Fine, \$595 Probation Investigation Fee